

INSTRUCTIONS FOR MANUFACTURERS

Am I an electronics Manufacturer?

You are a **MANUFACTURER** under the [electronics waste law](#) (10 V.S.A. Chapter 166) if you:

- manufacture or have manufactured a covered electronic device under its own brand or label for sale in the State;
- sell in the State under its own brand or label covered electronic devices produced by another supplier;
- own a brand that is or was licensed to another person for use on a covered electronic device sold in the State;
- import into the United States for sale in the State a covered electronic device manufactured by a person without a presence in the United States;
- manufacture covered electronic devices for sale in the State without affixing a brand name; or
- assume the responsibilities, obligations, and liabilities of a manufacturer as defined under subdivisions (A) through (E) of this subdivision (11), provided that the Secretary may enforce the requirements of this chapter against a manufacturer if a person who assumes the manufacturer's responsibilities fails to comply with the requirements of this chapter.

What must I do if I am a manufacturer of a covered electronic device?

On or before July 1 of each year, manufacturers of covered electronic devices (CEDs) sold in Vermont to covered entities will be required to register with the Agency of Natural Resources (Agency) and pay fees. CEDs are computers, monitors, printers, and televisions. Covered entities are consumers, charities, school districts, and small businesses that employ 10 or fewer individuals.

Exemptions:

Manufacturers that sell less than 20 covered electronic devices (CEDs) to covered entities are exempt from Vermont's e-waste law.

Manufacturers that fall under this exemption are not required to register or pay any fees, but are required to provide documentation to the Agency that supports their exempt status determination. The Agency recommends that those manufacturers fulfill this obligation by documenting their exempt status through the online registration form. This is a simple way to provide the information, while allowing manufacturers to be automatically placed on our list of manufacturers that are in compliance with Vermont's program. This list is available to retailers so that they know which manufacturers have not been prohibited from selling covered electronic devices in Vermont.

Registration:

Manufacturers that sell CEDs to covered entities in Vermont must register annually by July 1 to report their market share data, and to certify whether they are seeking coverage under the State Standard Plan or an approved opt-out plan. Manufacturers are also required to update their registration information if there are changes to the previously reported information, and to register new devices prior to sale in or into the state.

Registration must be completed online in order for the manufacturer to be in compliance, and it will not be considered complete or effective until the registrant has received a confirmation email. This email will include copy of the information reported in the registration, for record purposes, and will also contain unique login credentials to allow re-entry into the system.

Failure to complete the registration may result in a penalty under 10 V.S.A. §8003(a) and §8010(c)(1). It will also result in VT retailers being prohibited under 10 V.S.A. §7553(a) from selling your covered electronic devices.

Device Information:

Manufacturers will be required to provide national market share data on all brands of covered electronic devices currently sold or offered for sale in Vermont to covered entities. The data should include internet as well as retail sales.

In accordance with 10 V.S.A. §7553(b)(1)(D), the sales data submitted is considered a trade secret for the purposes of 1 V.S.A. §317(c)(9).

Please see the links below to begin your registration or view a list of manufacturers who have registered. If you have questions about completing the form, please contact VT DEC Waste Management & Prevention Division, (802) 522-5771.

[Register your e-manufacturing company](#)

[View list of registered e-manufacturers](#)

Fees:

Manufacturers are responsible for paying two fees:

1.The first is a Registration fee, which will cover the Agency administrative costs of the Vermont program. This invoice will be billed annually in August.

2.The second fee is an Implementation fee, which covers the costs of collection and recycling of the electronic waste under the State Standard Plan. This fee is billed quarterly (in January, April, July, and October) only to those manufacturers participating in the State Standard Plan.

Both fees will be based on the manufacturer's market share by weight of devices sold during the prior program year. Payments will be due within 45 days of the invoice date. No fees will be assessed or due at the time of registration.

Fee Schedules:

| Manufacturers will be billed in program year: | based on market share data from program year: | which was reported and registered by: |
|--|---|---------------------------------------|
| July 1, 2010 - June 30, 2011 | July 1, 2008 - June 30, 2009* | July 1, 2010 |
| July 1, 2011 - June 30, 2012 | July 1, 2009 - June 30, 2010 | July 1, 2011 |
| October 1, 2012 - September 30, 2013 | October 1, 2010 - September 30, 2011 | July 1, 2012 |
| October 1, 2013 - September 30, 2014 | October 1, 2011 - September 30, 2012 | July 1, 2013 |
| <i>*Fees for this initial program year were flat registration fees (only) based on a tier structure of number of devices sold. Manufacturers that sold less than 20 CEDs were assessed no fee; those that sold 20 to 100 CEDs were assessed a \$1,250 fee; and those that sold 100 or more CEDs were assessed a \$5,000 flat fee</i> | | |

Registration Fee Invoicing Schedule:

| | |
|--|---------------------------|
| <i>ALL</i> Manufacturers will be billed annually in: | for program year: |
| August | October 1 to September 30 |

Implementation Fee Invoicing Schedule:

| | |
|--|---------------------------|
| Manufacturers <i>participating in the State Standard Plan</i> will be billed quarterly in: | for program year quarter: |
| January | October to December |
| April | January to March |
| July | April to June |
| October | July to September |

Opt Out Plans:

A manufacturer or group of manufacturers may elect to seek coverage under an opt-out plan provided they are compliant with all Vermont e-law requirements, and submit and receive Agency approval for the opt-out plan.

Any manufacturer that chooses to opt-out of the State Standard Program for the next program year (October 1 to September 30) would need to submit a draft plan to the Agency no later than March 1, in order to allow time for the Agency to review the plan for completeness, post it for public comment, and allow enough time for the manufacturer to implement their program by October 1.

Please note that if the Agency does not receive any opt-out plans for a particular program year, by default all manufacturers will be required to participate in the State Standard Plan for that program year.

For more information about requirements for manufacturers, please contact:
[Karen Knaebel](#) at (802) 522-5736 or call 1-855-6ECYCLE.